

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2628 of 1985

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL

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1. Whether Reporters of Local Papers may be allowed  
to see the judgements? No

2. To be referred to the Reporter or not? No

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3. Whether Their Lordships wish to see the fair copy  
of the judgement? No

4. Whether this case involves a substantial question  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder? No

5. Whether it is to be circulated to the Civil Judge?  
No

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PATEL JIVRAJ MANJI

Versus

PATEL ARJAN PREMJI  
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Appearance:

MR YS MANKAD for Petitioners

MR CH VORA for Respondent No. 1

MR. A.J.DESAI, LD.GOVERNMENT PLEADER for Respondent No. 2  
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CORAM : MR.JUSTICE B.C.PATEL

Date of decision: 14/08/96

ORAL JUDGEMENT

Petitioners-Original opponents of Misc.  
Application No. 9 of 1984, decided by Jt. Charity  
Commissioner, under Section 41A, being aggrieved by the  
order dated 31-1-1985 have preferred this petition.

As claimed by them, they are the Managing Trustees of the Public Trust known as Shree Satpanta Sampraday Jyotirdham, which is a distinct sect Sampradaya of Religion, who are followers of Sant Imamshah Bawa of Pirana near Ahmedabad. On appreciation of material, Jt. Charity Commissioner has only issued a direction that certain properties of the trust, such as utensils, quilts, bed rests etc. if required by the beneficiaries of the trust should be given. The said benefit is being enjoyed by the beneficiaries since long. As the matters are pending before the Charity Commissioner it would be better to leave the matters at the discretion of the Jt. Charity Commissioner for deciding them finally. Proceedings are pending before the Civil Court also. Under the circumstances, when prima facie it is held that the applicants before the Jt. Charity Commissioner are entitled to claim the benefits as beneficiaries, no purpose would be served by entertaining this application when applications are pending before the Jt. Charity Commissioner and at the District Court. It is directed that, without being influenced by the present order passed by this Court, the proceedings pending before the Charity Commissioner and at the District Court shall be disposed of in accordance with law. Rule discharged.

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